

**Remarks**

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The objections to the specification are overcome by the above amendments, and should therefore be withdrawn.


The rejection of claims 16 and 17 under 35 U.S.C. § 112 (second paragraph) for indefiniteness is respectfully traversed in view of the above amendments. The rejection of claims 16 and 17 should therefore be withdrawn.

Applicants respectfully request withdrawal of the restriction as between claims 16 and 17, and claims 22-25. In particular, both of these groups of method claims require the use of an antibody or fragment thereof with the recited specificity for autoinducer molecules. Although the subject matter is patentably distinct, it is so closely related as to avoid significant burden to the U.S. Patent and Trademark Office for search and examination.

In view of all of the foregoing, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date: October 27, 2004

  
Edwin V. Merkel  
Registration No. 40,087

NIXON PEABODY LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603-1051  
Telephone: (585) 263-1128  
Facsimile: (585) 263-1600

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

Oct. 27, 2004  
Date

  
Signature

Ruth R. Smith  
Type or Print Name